

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

UNITED STATES OF AMERICA	)	
	)	
v	)	CRIMINAL ACTION NO.
	)	2:06CR213-MEF
KELLY MCDUGAL	)	

ORDER

Upon Defendant's Notice of Intent to Change Plea (Doc. #155), filed December 26, 2007, it is

ORDERED that this case is set for proceedings pursuant to Rule 11 of the Federal Rules of Criminal Procedure on January 9, 2008, at 12:00 p.m., Courtroom 5A, Frank M. Johnson, Jr. United States Courthouse Complex, One Church Street, Montgomery Alabama.

The Clerk is directed to provide a court reporter for this proceeding. If Defendant is in custody, the United States Marshal shall arrange for Defendant's appearance at this proceeding.

Counsel for Defendant is DIRECTED to confer with Defendant prior to the proceeding set in this order and (1) advise Defendant about the Sentencing Guidelines and that while the Sentencing Guidelines are no longer mandatory the Guidelines remain an important factor which the court will consider in determining a reasonable sentence; (2)

advise Defendant that in addition to the Guidelines, in determining a reasonable and appropriate sentence, the court will consider the sentencing factors set forth in 18 U.S.C. 3553(a), and (3) explain to Defendant each of those factors specifically including (a) the nature and circumstances of the offense and the history and characteristics of the defendant; (b) the need to reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense; (c) the need for deterrence; (d) the need to protect the public; (e) the need to provide Defendant with needed educational or vocational training or medical care; (f) the kinds of sentences available; (g) the need to avoid unwanted sentencing disparities; and (h) the need to provide restitution to victims.

DONE this 3rd day of January, 2008.

/s/ Wallace Capel, Jr.  
WALLACE CAPEL, JR.  
UNITED STATES MAGISTRATE JUDGE